

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

*** FILED ***
02/20/2002

02/12/2002

CLERK OF THE COURT
FORM R105B

HONORABLE ALFRED M. FENZEL

Y. O'Connor
Deputy

CR 2001-097903

FILED: _____

STATE OF ARIZONA

STEPHEN PATRICK MAUGER

v.

FRANK LYNCH

JOEL PAUL IVY

APO-PLEAS-SE
DOCKET-SE
FILE ROOM-SE
JUDGE JARRETT
VICTIM WITNESS DIV-CA-SE

PLEA AGREEMENT/CHANGE OF PLEA

9:40 A.M. State is represented by Stephen Mercer for above-named counsel. Defendant is present and represented by Scott Allen for above-named counsel.

Court Reporter, Blanche Paulsen, is present.

Defendant states his true name is ALBERT FARINAS.

IT IS ORDERED directing the File Room-SE and Docket-SE to amend the file and docket to reflect the true name of the defendant.

Executed Plea Agreement is presented to the Court and reviewed with Defendant. Defendant states true name is as noted in the agreement.

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The Court advises the Defendant as to the range of possible sentences for the offense, including whether or not probation is available and any other conditions imposed by statute, including special requirements for probation, if available. The Court further advises the Defendant as to all constitutional rights waived by the Plea Agreement.

The Court further advises the Defendant that by entering into a plea agreement that he/she waives the right to have the Arizona Court of Appeals review the proceedings by way of a direct appeal, and may seek review only by filing a Petition for Post Conviction Relief, pursuant to Rule 32 within 90 days of entry of judgment and sentencing.

Upon inquiry, the Court finds that the Defendant desires to forego the constitutional rights, that the plea of:

GUILTY is made knowingly, intelligently and voluntarily, not the result of force, threats or promises; that there is a factual basis for the plea; and that the Defendant understands the range of sentences and other penalties available.

The Defendant enters a plea of Guilty to the following crime(s):

OFFENSE: COUNT 2: POSSESSION OF DRUG PARAPHERNALIA, a class 6 UNDESIGNATED, nondangerous and nonrepetitive offense in violation of A.R.S. Sections 13-3401, 3405, 3415, 3418, 701, 702, 702.01, 801 committed on 12/05/01.

The plea of the Defendant is accepted and entered of record.

IT IS ORDERED setting time for entry of judgment of guilt and sentencing on MARCH 13, 2002 AT 8:30 A.M. before Judge JARRETT.

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IT IS ORDERED the Adult Probation Department shall prepare a Presentence Report, and that Defendant shall report to the Adult Probation Department if not in custody.

ISSUED: Request for Presentence Report (Green Slip).

IT IS FURTHER ORDERED that the motion to dismiss COUNT 1 as reflected in the Plea Agreement, will be deemed submitted at the time of sentencing.

IT IS FURTHER ORDERED affirming prior CUSTODY orders.

IT IS ORDERED vacating any pending dates.

FILED: Plea Agreement.

9:45 A.M. Matter concludes.